



Fact Sheet

South Carolina Department of Health and Environmental Control • www.scdhec.gov

Case-by-Case Maximum Achievable Control Technology Santee Cooper Application

The South Carolina Department of Health and Environmental Control's Bureau of Air Quality has received a Case-by-Case Maximum Achievable Control Technology (MACT) application addressing hazardous air pollutant (HAP) emissions at the proposed Santee Cooper power plant to be located in Florence County near Kingsburg and Pamplico. A public meeting was held on July 22, 2008, for local citizens and other interested persons to ask questions and offer comments on the application.

Why did Santee Cooper submit this Case-by-Case MACT application? The federal Clean Air Act requires the U.S. Environmental Protection Agency to create regulations for facilities that emit major amounts of HAPs. The EPA's Clean Air Mercury Rule imposed mercury emission reductions from coal-fired power plants. On Feb. 08, 2008, the U.S. Court of Appeals for the District of Columbia eliminated the Clean Air Mercury Rule, leaving no national HAP regulation for power plants. Until the EPA creates a new HAP regulation for power plants, states are required to fill in the gap and regulate HAP emissions, including mercury, from new power plants. This gap-filling requirement is under the air toxics portion of the Clean Air Act, section 112(g).

What are Hazardous Air Pollutants (HAPs)? Hazardous Air Pollutants (HAPs) are those pollutants known or suspected to cause cancer or other serious health effects, such as reproductive effects or birth defects, or adverse environmental effects. They can be liquids, solids and gases. The EPA has designated 187 pollutants as HAPs such as benzene, formaldehyde and mercury.

What is a Case-by-Case MACT? Case-by-Case MACT is a state-imposed hazardous air pollutant regulation meant to limit HAP emissions from new sources in the absence of a federal regulation. It requires the power plant to meet an emission limitation that is no less stringent than what is being achieved in practice by the best controlled similar source. There are several steps in determining the Case-by-Case MACT emission limitation.

- Determine the similar source. Similar sources are those sources that have comparable emissions and are structurally similar in design and capacity such that the source could be controlled using the same control technology.
- Determine the best controlled emissions from the body of similar sources.
- Determine if further reductions can be achieved, taking into account cost, health and environmental impacts, and energy requirements.

Is mercury the only air toxic that would be considered? All HAPs being emitted from the power plant should be addressed, including mercury.

What has Santee Cooper proposed for Case-by-Case MACT emission limitations? Santee Cooper has proposed the following for Case-by-Case MACT:

- Mercury: Use a baghouse filter instead of the Electrostatic Precipitator that was proposed in the draft permit. Santee Cooper has proposed an emission limit of 10×10^{-6} pounds per Megawatt hr (or 57.8 pounds per year for each unit).
- Other HAPs: Santee Cooper has also proposed emission limits for organic HAPs, Metal HAPs and Acid Gases.

What is the process for the Case-by-Case determination? DHEC's Bureau of Air Quality has 45 days from receiving the application to deem the application complete. Bureau staff may request additional information during this time. Then there is a 30-day period to issue either an "intent to deny" or "Notice of MACT Approval." If there is an "intent to deny," Santee Cooper will have another opportunity to provide additional information. If DHEC intends to approve the Case-by-Case MACT, there will be public notice of the "Notice of MACT Approval." Limits proposed by the bureau in the "Notice of MACT Approval" may be different from those proposed by Santee Cooper.

What kinds of factors will the DHEC staff consider as it makes its determination? DHEC can legally base its permit decisions only on whether the proposed activity will result in air pollution that exceeds the health and environmental standards specified in state and federal laws and regulations.

Will I be able to make other comments on this Case-by-Case MACT? Will there be a public hearing? If DHEC decides to approve the Case-by-Case MACT, we will issue a "Notice of MACT Approval", which requires public notice. The public notice period will include a public hearing. The public would be able to comment on the "Notice of MACT Approval" at any time when the comment period is open.

How does this application affect the draft Prevention of Significant Deterioration (PSD) permit? Should a "Notice of MACT Approval" be issued, after appropriate public review and comment, those Case-by-Case MACT requirements would be included in the final PSD decision.

Can I still comment on the PSD determination? We will accept and evaluate all comments. However, since the public comment period for the draft PSD permit has closed, we may not formally respond to late comments.

Where can I get a copy of the Case-by-Case MACT application? An electronic version of the application is available on the DHEC website at <http://www.scdhec.gov/environment/baq/SanteeCooper.aspx>.

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Visit our website - <http://www.scdhec.gov/environment/baq/SanteeCooper.aspx>